

Notice of Allowability

Application No.

09/896,796

Examiner

Taghi T. Arani, Ph.D.

Applicant(s)

SEROUSSI ET AL.

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 6/28/2004.
2. ☒ The allowed claim(s) is/are 13-31.
3. ☐ The drawings filed on _____ are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____


AYAZ SHEIKH

SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100

DETAILED ACTION

Claims 1-19 were pending in the current application. Applicant has canceled claims 1-12, amended claims 13 and 17, and added new claims 20-31.

Claims 13-31 are therefore currently pending.

Examiner's Statement of Reasons for Allowance

Claims 13-31 are allowed over prior art.

The following is an examiner's statement of reasons for the indication of allowable claimed subject matter.

As per claims 13, 17 and 20, closest prior arts of record directed to de la Huerga (U.S. Pat. No. 5, 960, 085) discloses a system utilizing a personal identification badge to collect data and to provide access to a computer terminal, abstract.

de la Huerga's computer terminal with access to a database on a computer network (i.e. a plurality of connected computers) is equipped with a device (i.e. a transceiver) for wireless information exchange with a security badge, using infrared transmitters and detectors. To access a computer terminal, a system user defined as one who is wearing and is authorized to wear a security badge, positions himself in front of computer terminal where the computer terminal transmits interrogation signals to detect, authenticate, and establish communication with the security badge, col. 4, lines 40-58.

de la Huerga teaches a security verification system of the network (i.e. administrative computer) which authenticates the access privileges (i.e. level of access) of the system user. de la Huerga further teaches that if the security badge is authenticated through a cryptographic exchange, the system user is automatically logged onto the network and the system user may do

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anything consistent with the access privileges associated with the security badge, col. 4, lines 59-65, also col. 11, lines 30-45.

de la Huerga security badge includes a processor, a battery, real-time clock, memory element audio alerting device, infrared transmitter and detector device. The security badge further includes means (non-volatile memory) for storing, see col. 10, lines 35-44.

U.S. Pat. '085 fails to teach separate (or distinct) from the badge, using an identity verification system; and in response to said identity verification system determining the individual belongs to the set of authorized individuals, subsequently causing an administrative device to load information into said volatile memory of said badge. That is to say, de la Huerga '085 provides a badge specifically associated with the individual, and that access privileges is loaded onto the badge before the badge is provided to the user, not after a verification system determines the user belongs to the set of authorized individuals, recited in the language of independent claims 13, 17 and 20.

U.S. Pat. '085 of de la Huerga fails to teach a badge with an attachment sensor for detecting the removal of... badge from the individual " and that " attachment sensor causing information stored in volatile memory to be rendered unreadable when .. attachment sensor detects ... removal".

However, U.S. Pat. No. 6,346, 886 (de la Huerga) discloses an electronic identification apparatus (i.e. a badge) having data storage memory on board a removable transceiver device, abstract.

The transceiver disclosed in U.S. Pat. No. '886 includes a processor and a transponder for receiving information pertaining to the object/person to which it is attached. The transceiver also

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transmits stored data to a control computer (i.e. administrative computer) or the external devices.

The transceiver is mounted on a base, such as a wristband and includes an attachment sensor indicating whether the transceiver is attached to the base.

U.S. Pat. No. ' 886 further discloses that if the transceiver has been removed from the base, the processor performs one or more lockdown operations to prevent the stored data from being used in connection with another object or person and that the lockdown operations include clearing the contents of the memory, disabling access to the memory, suppressing the display of stored data and activating an alarm.

None of the prior arts of record, either taken by itself or in any combination, would have anticipated or made obvious the invention of the present application at or before the time it was filed. The subject matter regarded as allowable by the examiner is found in claims 13 ,17 and 20, wherein , separate (or distinct) from the badge, using an identity verification system; and in response to said identity verification system determining the individual belongs to the set of authorized individuals, subsequently causing an administrative device to load information into said volatile memory of said badge.

Dependents claims 14-16, 18-19, 21-31 are also allowed over prior arts of record by virtue of their dependencies.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Taghi T. Arani whose telephone number is (703)305-4274. The examiner can normally be reached on 8:00-5:30 Mon-Fri.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ayaz Sheikh can be reached on (703) 305-9648. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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